



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/435,899	11/08/1999	PAUL JOSEPH SEGER	TU999050	5856

7590

09/12/2005

JOHN H. HOLCOMBE
INTELLECTUAL PROPERTY LAW
8987 E. TANQUE VERDE RD. #309-374
TUCSON, AZ 85749-9610

EXAMINER

BETIT, JACOB F

ART UNIT	PAPER NUMBER
----------	--------------

2164

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/435,899

Applicant(s)

SEGER, PAUL JOSEPH

Examiner

Jacob F. Betit

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/18/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2164

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 18-July-2005 has been entered.

Remarks

2. In response to communications filed on 18-July-2005 claims 1-50 are presently pending in the application. The declaration under 37 C.F. R. section 1.132 has been considered and not found persuasive. The examiners response to the declaration and to the attorney's arguments are addressed in the "Response to Arguments" section of this action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 6, 8-9, 15, 20, 22-23, 29, 33, 35, 40, 44, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderl et al. (International Publication No. 87/07062) in view of Smith (U.S. patent No. 4,9563,769).

As to claim 1, Anderl et al. teaches a portable security system for managing access to a portable data storage cartridge, the data storage cartridge having data storage media for storing data for read/write access by a user of a data storage drive when mounted in the data storage drive (see abstract), the portable security system comprising:

a wireless interface mounted in the portable data storage cartridge for receiving power and data from, and sending data to, the data storage drive when mounted in the data storage drive (see page 5, line 31 through page 6, line 23); and

a computer processor mounted in the portable data storage cartridge and coupled to the wireless interface (see figure 1, reference numbers 110, 120, and 130); the computer processor powered by the wireless interface and receiving and transmitting data to the data storage drive via the wireless interface (see page 5, line 31 through page 6, line 23); the computer processor receiving the user authentication messages from the data storage drive via the wireless interface, and transmitting the user authorization or denial to the data storage drive via the wireless interface (see page 10, lines 19-26).

Anderl et al. does not teach the computer processor having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity.

Smith teaches a security system for computer databases (see abstract), in which he teaches the computer processor having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media (see column 2, lines 11-17), the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user (see column 5, lines 9-14 and see figure 1); and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity (see column 5, lines 9-14 and see figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. by the teachings of Smith because the computer processor having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity would limit the access of selected users to pre-selected locations which they are authorized to access (see Smith, column 1, lines 7-12).

Art Unit: 2164

As to claim 15, Anderl et al. teaches a data storage cartridge for storing data for read/write access by a user of a data storage drive when mounted in the data storage drive (see abstract), comprising:

data storage media mounted in the data storage cartridge for storing the data for the read/write access (see figure 1, reference number 115); a wireless interface mounted in the portable data storage cartridge for receiving power and data from, and sending data to, the data storage drive when mounted in the data storage drive (see page 5, line 31 through page 6, line 23); and

a computer processor mounted in the portable data storage cartridge and coupled to the wireless interface (see figure 1, reference numbers 110, 120, and 130); the computer processor powered by the wireless interface and receiving and transmitting data to the data storage drive via the wireless interface (see page 5, line 31 through page 6, line 23); the computer processor receiving the user authentication messages from the data storage drive via the wireless interface, and transmitting the user authorization or denial to the data storage drive via the wireless interface (see page 10, lines 19-26).

Anderl et al. does not teach the computer processor having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity.

Smith teaches the computer processor having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media (see column 2, lines 11-17), the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user (see column 5, lines 9-14 and see figure 1); and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity (see column 5, lines 9-14 and see figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. by the teachings of Smith because the computer processor having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity would limit the access of selected users to pre-selected locations which they are authorized to access (see Smith, column 1, lines 7-12).

As to claim 29, Anderl et al. teaches a method for providing a portable secure interface to a data storage cartridge (see abstract, where it is inherent that “a method for providing a portable secure interface to a data storage cartridge” is disclosed in “a portable data carrier system” that

Art Unit: 2164

does not provide information of particular applications or file structure to its users), the data storage cartridge having data storage media for storing data for read/write access by a user of a data storage drive when mounted in the data storage drive (see figure 1, reference number 115), and a wireless interface mounted in the portable data storage cartridge for receiving power and data from, and sending data to, the data storage drive when mounted in the data storage drive (see page 5, line 31 through page 6, line 23), the method comprising the steps of:

receiving the user authentication messages from the data storage drive via the wireless interface; and transmitting the user authorization or denial to the data storage drive via the wireless interface (see page 10, lines 19-26).

Anderl et al. does not teach the data storage cartridge having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity.

Smith teaches the data storage cartridge having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media (see column 2, lines 11-17), the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user (see column 5, lines 9-14 and see figure 1); and combining the user authentication message with at least part of the user identifier from the user

Art Unit: 2164

table in accordance with the predetermined algorithm to authorize or deny the user activity (see column 5, lines 9-14 and see figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. by the teachings of Smith because the data storage cartridge having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity would limit the access of selected users to pre-selected locations which they are authorized to access (see Smith, column 1, lines 7-12).

As to claim 40, Anderl et al. teaches a computer program product usable with a programmable Computer processor having computer readable program code embodied therein for providing a secure interface to a data storage cartridge (see abstract), the programmable computer processor mounted in the data storage cartridge (see figure 1, reference number 110), the data storage cartridge having data storage media for storing data for read/write access by a user of a data storage drive when mounted in the data storage drive (see figure 1, reference number 115), and a wireless interface mounted in the portable data storage cartridge for receiving power and data from, and sending data to, the data storage drive when mounted in the

Art Unit: 2164

data storage drive (see page 5, line 31 through page 6, line 23) , the computer program product comprising:

computer readable program code which causes the programmable computer processor to receive the user authentication messages from the data storage drive via the wireless interface; and computer readable program code which causes the programmable computer processor to transmit the user authorization or denial to the data storage drive via the wireless interface (see page 10, lines 19-26).

Anderl et al. does not teach computer readable program code which causes the programmable computer processor to provide a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and combine the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity.

Smith teaches computer readable program code which causes the programmable computer processor to provide a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media (see column 2, lines 11-17), the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user (see column 5, lines 9-14 and see figure 1); and computer readable program code which causes the programmable computer processor to combine the user

Art Unit: 2164

authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity (see column 5, lines 9-14 and see figure 1).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. by the teachings of Smith because computer readable program code which causes the programmable computer processor to provide a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and computer readable program code which causes the programmable computer processor to combine the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity would limit the access of selected users to pre-selected locations which they are authorized to access (see Smith, column 1, lines 7-12).

As to claims 6, 20, and 44, Anderl et al. as modified, teaches wherein the computer processor user table permitted activities comprise a plurality of permitted activities, selected ones of which each of the users may be authorized to conduct, the permitted activities comprising 1) read access to data stored in the data storage media, 2) write access to data stored in the data storage media (see Smith, column 4, lines 59-66), 3) read the user entry of the user table, 4) read

Art Unit: 2164

all entries of the user table, 5) add entries to the user table, and 6) change/delete entries to the user table (see Smith, column 3, line 62 through column 4, line 14).

As to claims 8, 22, and 46, Anderl et al. as modified, teaches wherein the computer processor user table comprises a separate entry for each the user identifier, the entry comprising all the permitted activities the user is authorized to conduct (see Smith, column 2, lines 11-17).

As to claims 9 and 23, Anderl et al. as modified, teaches wherein the computer processor additionally comprises a nonvolatile memory storing the user table (see Anderl et al., page 11, lines 21-26).

As to claim 33, Anderl et al. as modified, teaches wherein the user table comprises a plurality of the permitted activities, selected ones of which each of the users may be authorized to conduct, the permitted activities comprising 1) read access to data stored in the data storage media, 2) write access to data stored in the data storage media (see Smith column 4, lines 59-66), 3) read the user entry of the user table, 4) read all entries of the user table, 5) add entries to the user table, and 6) change/delete entries to the user table; and wherein the transmitting step comprises transmitting authorization to conduct the selected the user permitted activities the user is authorized to conduct (see Smith, column 3, line 62 through column 4, line 14).

As to claim 35, Anderl et al. as modified, teaches wherein the step of providing the user table comprises a separate entry for each the user identifier, the entry comprising all the

Art Unit: 2164

permitted activities the user is authorized to conduct; and wherein the transmitting step additionally comprises identifying the user permitted activities from the user separate entry (see Smith, column 2, lines 11-17).

1. Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderl et al. (International Publication No. 87/07062) in view of Smith (U.S. patent No. 4,956,769) as applied to claims 1, 6, 8-9, 15, 20, 22-23, 29, 33, 35, 40, 44, and 46 above, and further in view of Davis (U.S. patent No. 4,941,201).

As to claims 2 and 16, Anderl et al. as modified, does not teach wherein the wireless interface comprises an RF interface.

Davis teaches an electronic data storage apparatus (see abstract), in which he teaches wherein the wireless interface comprises an RF interface (see column 5, lines 55-61 and see column 21, lines 31-46, where 100 kHz is in the RF range of the Electromagnetic Spectrum).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. as modified, by the teachings of Davis because wherein the wireless interface comprises an RF interface would make the propagation delay between the outputs of the inverters 5 microseconds (see Davis, column 21, lines 39-46).

2. Claims 3-5, 17-19, 30-31, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderl et al. (International Publication No. 87/07062) in view of Smith (U.S.

Art Unit: 2164

patent No. 4,956,769) as applied to claims 1, 6, 8-9, 15, 20, 22-23, 29, 33, 35, 40, 44, and 46 above, and further in view of Wright et al. (U.S. patent No. 6,084,969).

As to claims 3, 17, 30, and 41, Anderl et al. as modified, does not teach wherein each the user identifier comprises a user symbol and a user decrypting key, wherein the user authentication message comprises an encrypted user authentication message which may be decrypted by the user decrypting key, and wherein the computer processor conducts the combination by decrypting the user authentication message by the user decrypting key.

Wright et al. teaches an encryption system for a two way pager (see abstract), in which he teaches wherein each the user identifier comprises a user symbol and a user decrypting key (see column 11, line 65 through column 12, line 5), wherein the user authentication message comprises an encrypted user authentication message which may be decrypted by the user decrypting key, and wherein the computer processor conducts the combination by decrypting the user authentication message by the user decrypting key (see column 12, lines 5-13).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. as modified, by the teachings of Wright et al. because wherein each the user identifier comprises a user symbol and a user decrypting key, wherein the user authentication message comprises an encrypted user authentication message which may be decrypted by the user decrypting key, and wherein the computer processor conducts the combination by decrypting the user authentication message by the user decrypting key would authenticate the sender and protect the contents of the message (see Wright et al., column 9, lines 51-56).

As to claims 4, 18, 31, and 42, Anderl et al. as modified, teaches wherein the user decrypting key comprises a sender public key, and wherein the predetermined algorithm comprises a public key cryptographic algorithm (see Wright et al., column 12, lines 5-13).

As to claims 5 and 19, Anderl et al. as modified, teaches wherein the user authentication message is encrypted by a sender private key and a receiver public key (see Wright et al., column 9, lines 51-56), and wherein the public key cryptographic algorithm decrypts the user authentication message employing a receiver private key and the sender public key, whereby the user authentication message is known to have come from the user (see Wright et al., column 12, lines 5-13).

As to claims 32 and 43, Anderl et al. as modified, teaches wherein the user authentication message is encrypted by a sender private key and a receiver public key (see Wright et al., column 9, lines 51-56), wherein the public key cryptographic algorithm decrypts the user authentication message employing a receiver private key and the sender public key, and wherein the combining step comprises decrypting the user authentication message by the receiver private key and the sender public key, whereby the user authentication message is known to have come from the user (see Wright et al., column 12, lines 5-13).

3. Claims 7, 10-13, 21, 24-27, 34, 36-38, 45, and 47-49 rejected under 35 U.S.C. 103(a) as being unpatentable over Anderl et al. (International Publication No. 87/07062) in view of Smith

Art Unit: 2164

(U.S. patent No. 4,9563,769) as applied to claims 1, 6, 8-9, 15, 20, 22-23, 29, 33, 35, 40, 44, and 46 above, and further in view of Bapat et al. (U.S. patent No. 6,038,563).

As to claims 7, 21, and 45, Anderl et al. as modified, does not teach wherein the computer processor user table comprises a separate entry for each the user identifier and the permitted activity the user is authorized to conduct.

Bapat et al. teaches access control to a database using a permissions table (see abstract), in which he teaches wherein the computer processor user table comprises a separate entry for each the user identifier and the permitted activity the user is authorized to conduct.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. as modified, by the teachings of Bapat et al. because wherein the computer processor user table comprises a separate entry for each the user identifier and the permitted activity the user is authorized to conduct would give a way to grant or deny access to certain users (see Bapat et al., column 11, lines 4-7).

As to claims 10, 24, 36, and 47, Anderl et al. as modified, teaches receiving the user authentication messages from the data storage drive via the wireless interface, and transmitting the class authorization or denial to the data storage drive via the wireless interface (see Anderl et al. page 12, lines 7-15, and see figure 7).

Anderl et al. as modified, does not teach wherein the computer processor additionally comprises a class table comprising at least a unique class identifier for each authorized class of users and at least one permitted activity the class of users is authorized to conduct with respect to

Art Unit: 2164

the data storage media, the class identifier, when combined with a user authentication message from a user of the authorized class of users in accordance with the predetermined algorithm, authorizes the user; and wherein the computer processor additionally, upon receiving the user authentication messages, combining the user authentication message with the class identifier from the class table in accordance with the predetermined algorithm to authorize or deny the class activity to the user, and transmitting the class authorization or denial.

Bapat et al. teaches wherein the computer processor additionally comprises a class table comprising at least a unique class identifier for each authorized class of users and at least one permitted activity the class of users is authorized to conduct with respect to the data storage media, the class identifier (see column 10, lines 35-47), when combined with a user authentication message from a user of the authorized class of users in accordance with the predetermined algorithm, authorizes the user (see figure 5); and wherein the computer processor additionally, upon receiving the user authentication messages, combining the user authentication message with the class identifier from the class table in accordance with the predetermined algorithm to authorize or deny the class activity to the user, and transmitting the class authorization or denial (see figure 6).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. as modified, by the teachings of Bapat et al. because wherein the computer processor additionally comprises a class table comprising at least a unique class identifier for each authorized class of users and at least one permitted activity the class of users is authorized to conduct with respect to the data storage media, the class identifier, when combined with a user authentication message from a user of the authorized class of users in

Art Unit: 2164

accordance with the predetermined algorithm, authorizes the user; and wherein the computer processor additionally, upon receiving the user authentication messages, combining the user authentication message with the class identifier from the class table in accordance with the predetermined algorithm to authorize or deny the class activity to the user, and transmitting the class authorization or denial would make an easy way to define a set of access rules to grant access rights to a broad group of users (see Bapat et al., column 11, lines 56-59) and would help to reduce the amount of data required to define access rules (see Bapat et al., column 9, lines 48-50).

As to claims 11, 25, 37, and 48, Anderl et al. as modified, teaches wherein the computer processor user table additionally comprises any class membership of each the user (see Bapat et al., Column 10, lines 4-10), wherein the user may be authorized with respect to the class table either by the class authorization or by the user authorization (see Bapat et al., figure 15A).

As to claims 12, 26, and 49, Anderl et al. as modified, teaches wherein the computer processor user table and the class table permitted activities comprise a plurality of permitted activities, selected ones of which each of the users may be authorized to conduct, the permitted activities comprising 1) read access to data stored in the data storage media, 2) write access to data stored in the data storage media, 3) read all entries of the class table, 4) add entries to the class table, and 5) change/delete entries to the class table (see Bapat et al., column 10, lines 35-47).

Art Unit: 2164

As to claims 13 and 27, Anderl et al. as modified, teaches wherein the computer processor additionally comprises a 'nonvolatile memory storing the user table (see Anderl et al., page 11, lines 14-26) and the class table (see Bapat et al., column 7, lines 18-24).

As to claim 34, Anderl et al. as modified, does not teach wherein the user table comprises a separate entry for each the user identifier and the permitted activity the user is authorized to conduct; and wherein the transmitting step additionally comprises identifying the user permitted activities from the separate entries.

Bapat et al. teaches wherein the user table comprises a separate entry for each the user identifier and the permitted activity the user is authorized to conduct; and wherein the transmitting step additionally comprises identifying the user permitted activities from the separate entries (see column 10, lines 35-47).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. as modified, by the teachings of Bapat et al. because wherein the user table comprises a separate entry for each the user identifier and the permitted activity the user is authorized to conduct; and wherein the transmitting step additionally comprises identifying the user permitted activities from the separate entries would give a way to grant or deny access to certain users (see Bapat et al., column 11, lines 4-7).

As to claim 38, Anderl et al. as modified, teaches wherein the user table and the class table comprise a plurality of permitted activities, selected ones of which each of the users may be authorized to conduct, the permitted activities comprising 1) read access to data stored in the data

Art Unit: 2164

storage media, 2) write access to data stored in the data storage media, 3) read all entries of the class table, 4) add entries to the class table, and 5) change/delete entries to the class table; and wherein the transmitting step comprises transmitting authorization to conduct the selected the user and the class permitted activities the user is authorized to conduct (see Bapat et al., column 10, lines 35-47).

4. Claims 14, 28, 39, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderl et al. (International Publication No. 87/07062) in view of Smith (U.S. patent No. 4,9563,769) as applied to claims 1, 6, 8-9, 15, 20, 22-23, 29, 33, 35, 40, 44, and 46 above, and further in view of Hastings et al. (U.S. patent No. 6,370,629 B1).

As to claims 14, 28, 39, and 50 Anderl et al. as modified, teaches wherein the computer processor user table permitted activities comprise at least 1) read access to data stored in the data storage media (see Smith, column 4, lines 59-66).

Anderl et al. as modified, does not teach wherein the data stored in the data storage media is encrypted, and wherein the user authorization for the read access additionally comprises a decryption key for the encrypted stored data.

Hastings et al. teaches giving access to information based on time and geographic position (see abstract), in which he teaches wherein the data stored in the data storage media is encrypted (see column 3, line 63 through column 4, line 4), and wherein the user authorization for the read access additionally comprises a decryption key for the encrypted stored data (see column 5, lines 52-61).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Anderl et al. as modified, by the teachings of Hastings et al. because wherein the data stored in the data storage media is encrypted, and wherein the user authorization for the read access additionally comprises a decryption key for the encrypted stored data would keep an unauthorized user from accessing the files (see Hastings et al., column 5, lines 52-61).

Response to Arguments

5. Applicant's arguments filed on 18-July-2005 with respect to rejected claims have been considered but are not deemed persuasive.

In response to the arguments that "Any authentication (not directly described) appears to be of the 'card' or 'file' and not the 'user'", the arguments have been fully considered but are not deemed persuasive. The user of Anderl et al. is being authenticated to access the "card" or "file". The user is not performing the authentication process in order to be sure that the card is the correct card, but to be sure that the user is authorized to access that card as in the present application. As admitted in the above rejection under 35 U.S.C. § 103(a), Anderl et al. does not appear to teach the computer processor having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, which is why the examiner relies on Smith to teach this limitation. The applicant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

Art Unit: 2164

See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to the arguments that Anderl et al. does not teach any “ability to combine said user authentication message with at least part of said user identifier from said user table”, the arguments have been fully considered but are not deemed persuasive. The applicant’s definition of the term “user identifier” appears to be extremely broad. Evidence of this can be found in claim 3, which has the limitation “wherein each said user identifier comprises a user symbol and a user decrypting key”. This means that “at least part of said user identifier” may be the “password” of Anderl et al. instead of the “user name” or “user symbol” one might normally interpret a “user identifier” to be. With that stated it is noted that the examiner acknowledged in the current and previous office actions that

Anderl et al. does not teach the computer processor having a user table comprising at least a unique user identifier for each authorized user and at least one permitted activity the user is authorized to conduct with respect to the data storage media, the user identifier, when combined with a user authentication message from the authorized user in accordance with a predetermined algorithm, authorizes the user; and combining the user authentication message with at least part of the user identifier from the user table in accordance with the predetermined algorithm to authorize or deny the user activity. The examiner relied upon Smith for this teaching. The applicant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on

Art Unit: 2164

combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to the arguments that “Anderl et al. appears to fail to provide a truly portable security access system” because “management is limited to a particular station”, the arguments have been fully considered but are not deemed persuasive. Anderl et al. teaches “a system for a portable data carrier” (see title). Access to the system is given based on the password provided by the user (see page 9, lines 4-9). Nowhere does Anderl et al. discuss specially required hardware that only the “MASTER USER”, “DEVELOPER”, or “SUPER USER” has access to, but rather specially required passwords to access these levels. After looking at the entire disclosure of Anderl et al., one would assume that the “appropriate application station” would be any station that the user normally uses that includes the appropriate hardware for reading from and writing to the card. These stations may most commonly be at the development site or factory where the card is designed and produced because that is where the “MASTER USER”, “DEVELOPER”, or “SUPER USER” is usually located, but only the user password is disclosed to limit the access the user has.

In response to the arguments that Smith is unlike the present ‘899 Application’s claimed “user table comprising at least a unique user identifier for each authorized user and at least one permitted activity said user is authorized to conduct with respect to said data storage media, said user identifier, when combined with a user authentication message from said authorized user in accordance with a predetermined algorithm, authorizes said user”, the arguments have been fully

Art Unit: 2164

considered but are not deemed persuasive. Smith teaches “parsing the system sign-on by the system user and extracting therefrom the unique user identification symbol.” This “unique user identification symbol” can be read on “user authentication message from said authorized user” since the symbol was originally, at the time the user signs onto the system, obtained from the user. After this “user identification symbol” is obtained, Smith teaches building the user access profile table and the terminal location security access table by “comparing the extracted unique user identification symbol against a value based security database having for each unique user identification symbol, a first entry representing the unique user identification symbol and a second entry containing a selected set of access rules associated with the first entry”. The “comparing” is a simple algorithm used to find where the user is authorized to access (authorizes the user). It is inherent that the tables that are being built in Smith are being built from a table in the “value based security database”.

In response to the arguments that “Smith does not add portability of a security system to Anderl et al.”, the arguments have been fully considered but are not deemed persuasive. Smith is not relied upon to teach portability of a security system. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to the applicant’s arguments that “Bapat et al. teaches away from ... a ‘portable security system *** wherein said computer processor user table comprises a separate

Art Unit: 2164

entry for each said user identifier and said permitted activity said user is authorized to conduct”, the arguments have been fully considered but are not deemed persuasive because the remarks made supporting this argument do not seem to correspond to the argument given.

In response to the applicant’s arguments that “Bapat et al. teaches away from ... combining said user authentication message with said class identifier...”, the arguments have been fully considered but are not deemed persuasive because the remarks supporting this argument do not seem to correspond to the argument given.

In the interests of furthering prosecution of this case the examiner notes that the disclosure of Anderl et al. as modified by Smith appears to be related to the invention that the applicant is currently claiming, but does not seem similar to the invention disclosed by the applicant. As seen in the current application’s figure 1 and the description thereof, the wireless interface is used to authorize the user, but the data the user is trying to gain access to is not kept on the authorization device. The data is stored on a device such as a magnetic tape cartridge or an optical disk on which is attached the wireless authorization device. If limitations were made in the independent claims in this manner, the claims would become patentably distinct over the cited references since Anderl et al. only allows small amounts of data to be stored (i.e. credit card data, bank data, and medical data for one person) whereas the applicant’s disclosed (but unclaimed) invention allows large amounts of data to be stored via the tape or optical drive.


Art Unit: 2164

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Betit whose telephone number is (571) 272-4075. The examiner can normally be reached on Monday through Friday 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

jfb
2 Sep 2005


SAM RIMELL
PRIMARY EXAMINER